

#66
6-8-06

ORDINANCE NO.

AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 4709 CASWELL DRIVE FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 FOR CONSTRUCTION OF A DUPLEX RESIDENCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. This ordinance applies to the construction of a duplex residence located at 4709 Caswell Drive. The two story structure will have a floor area of 3,800 square feet.

PART 2. Applicant seeks a waiver from Part 4(A) of Ordinance No. 20060309-058 which states that an application for a demolition or relocation permit for a structure must be filed concurrently with an application for a permit described in Subsection (C) or (D) of Ordinance No. 20060309-058.

PART 3. Council has considered the factors for granting a waiver from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver is justified because:

- (A) the development limitation imposes undue hardship on the applicant; and
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare.

PART 4. A waiver is granted from Part 4(A) of Ordinance 20060309-058 to allow Applicant to fail to file a demolition permit concurrently with a building permit.

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2 **PART 5.** This ordinance takes effect on _____, 2006.

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4 **PASSED AND APPROVED**

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8 _____, 2006

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Will Wynn
Mayor

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13 **APPROVED:**

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk